IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

LEON LEVITSKY	:	
	:	
v.	:	CIVIL NO. CCB-04-4045
	:	
TEGA CAY PROPERTIES, LLC	:	

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MEMORANDUM

The appellant, Leon R. Levitsky, appeals from the order of Bankruptcy Judge Duncan W. Keir entered November 29, 2004 denying, after an evidentiary hearing, Levitsky's motion to reconsider Judge Keir's order of October 6, 2004 converting the case from Chapter 11 to Chapter 7. Judge Keir found that "cause" for the conversion under 11 U.S.C. § 1112 was clearly demonstrated by the evidence.

Having reviewed the briefs, Judge Keir's ruling, the transcript of the November 23, 2004 evidentiary hearing, and the record generally, I have concluded that:

1. Judge Keir's order of November 29, 2004 is not a final judgment under Rule 8001 which this court has jurisdiction to review, *see Stewart v. Kutner*, 656 F.2d 1107, 1110-1111 (5th Cir. 1981); *In re Fraidin*, 188 BR 529, 532 (D. Md. 1995); *In re Hebb*, 53 BR 1003, 1005-06 (D. Md. 1985).

2. assuming the court has discretion to recognize an interlocutory appeal, no good reason has been shown to do so.

A separate Order follows.

May 3, 2005 /s/

Date

Catherine C. Blake
United States District Judge